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C O N F I D E N T I A L SECTION 01 OF 03 KABUL 002838

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SUBJECT: DRL DAS BARKS-RUGGLES EXPRESSES SUPPORT FOR AFGHAN ELECTIONS; TIMING ISSUE STILL UNCERTAIN

REF: KABUL 02755

Classified By: Acting Political Counselor Stacy Nichols for reasons 1.4(b) and (d).

¶1. (C) SUMMARY: In October 15-16 meetings with visiting DRL DAS Erica Barks-Ruggles, representatives from the Afghan Independent Electoral Commission (IEC), NATO, UNDP, the National Democratic Institute (NDI), the International Republican Institute (IRI), and the International Foundation for Electoral Systems (IFES) expressed optimism about the operational side of the Afghan presidential election and the progress of voter registration but strong concern about the political debate over the timing of the presidential election. IEC Deputy Chief Electoral Officer Zekria Barakzai warned that significant "turbulence" could occur after May 21 if the political consensus on the timing of the presidential election (reftel) is not re-established. DAS Barks-Ruggles emphasized the strong commitment of the U.S. to support an Afghan-led effort to conduct free, fair, and transparent elections.

Phase One of Voter Registration Successfully Underway

¶2. (C) IEC Deputy Chief Electoral Officer Zekria Barakzai told DAS Barks-Ruggles and representatives from UNDP and NATO that he was satisfied with the number of voters who registered during the first week of phase one voter registration. According to IEC press conference notes, during the first week of voter registration approximately 215,000 people registered, including 57,537 women and 1349 Kuchis. Barakzai highlighted the voter registration process in Kunar Province as particularly successful, considering that Kunar faces ongoing security concerns. IEC staff was investigating what factors contributed to this success and will attempt to apply the results of this investigation to other provinces in later voter registration phases where there are also security concerns. Barakzai said coordination between the IEC and the international community had been positive, citing the smooth functioning of the IEC Operations Center in coordinating security operations. Barakzai reported that only a small number of registration centers experienced difficulties preventing them from opening. He also said, however, that the provinces in phase one are considered the safest in Afghanistan, but there were still some security incidents including poor security forcing six

district voter registration centers in Ghazni province to remain closed.

¶13. (SBU) NATO Senior Political Advisor Nicholas Williams said that he is cautiously optimistic about the progress of phase one voter registration. He said that the only real measure of success, however, would be completion of phase one without the occurrence of any significant security incidents. From an operational and technical standpoint, the Afghan elections were in good shape, he said, noting that coordination between the Afghan National Army (ANA) and the Afghan National Police (ANP) had greatly improved over the past year.

¶14. (C) Margie Cook, UNDP Chief Electoral Advisor, characterized coordination between the various groups supporting the IEC as excellent. She highlighted the regular donor group meetings that bring political and development sides together and the weekly security meetings conducted by IEC with the participation of the ANA, the ANP, ISAF, and the National Directorate of Security as two examples of the regular and productive coordination between the different bodies involved in election planning and operations. DAS Barks-Ruggles raised the need to protect the data obtained during the voter registration process both from misuse and from destruction or loss. Cook said the planned use of an offsite data storage facility is one way in which the data obtained during voter registration will be protected.

Timing of Elections: the Controversy Continues

¶15. (C) Barakzai told DAS Barks-Ruggles that he foresaw many

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difficulties with conducting the presidential election in March 2009 as some in Parliament have suggested, instead of the current plan of fall 2009 (reftel). If the election were held in March, he said, large numbers of voters would be deprived of their constitutional right to vote because there would not be time to make adequate security and other operational preparations. He asserted that despite constitutional provisions setting firm deadlines for the elections, GoIRA stakeholders reached a consensus that the date would slide to the fall of 2009 after negotiations that included over 20 discussions between the President, Parliament, and political leaders (reftel). He said that the controversy over the timing of the presidential election puts the IEC in a very difficult political position, noting that if the non-partisan IEC were to say publicly that holding the election in March would be technically impossible, political leaders and others would accuse the IEC of favoring President Karzai by trying to extend his term in office. He noted, however, that "after seven years in office a three month extension is not that significant," and the issue was mostly a means for Parliament to pressure President Karzai.

¶16. (C) Williams took a more dire view. He said NATO's view is that the election must take place during the time frame agreed upon by prior political consensus, i.e. fall 2009. He urged the UN and the US to persuade GoIRA actors that an earlier election is not feasible. He said that if the date issue becomes significant, it would interfere with the Afghans' ability to provide needed security during the election and the international forces' ability to support the Afghan security efforts. He emphasized how important politically it is that the international role in providing security to the election be as invisible as possible. Holding the election earlier would require a more robust and visible UN and NATO effort - undermining efforts to build capable Afghan institutions and playing into the hands of those who want to portray the government as pawns of the West. Furthermore, he said that there are significant concerns about security conditions in the South preventing Pashtun citizens from voting even under the current timeline. If the timeline became shorter, the chances of the lack of participation of Pashtuns reaching a level that would cause a political crisis would sharply increase.

¶ 17. (C) DAS Barks-Ruggles said that the US is committed to supporting an Afghan-led effort to hold free, fair, and transparent elections. She also stated that regardless of the outcome of the US presidential election, the US is committed long-term to Afghanistan. She said that Afghan stakeholders must reach a political consensus on the election timing issue, and that this process should be Afghan-led. DAS Barks-Ruggles asked whether Afghans were considering any other possibilities for bridging the gap between May 21, 2009, the date constitutionally specified as the last day of the presidential term, and fall 2009 when the election is currently planned. Barakzai said that one proposal is that President Karzai hand over power to the Speaker of the National Assembly's Upper House. He said that the main problem is that Karzai is a candidate in the election and thus, the possibility of extending his term for three months is a very sensitive topic and puts the IEC in a difficult position. He warned that if there is no solution to this and the Lower House decides to push the issue by declaring Preisdent Karzai has no authority after May 21, there could be "huge turbulence" in the country.

¶ 18. (C) Cook then asked the group if the concerns about turbulence after May 21 were serious enough to re-consider the technical and operational feasibility of holding an earlier election. She recommended that a small group discretely and without making any commitments discuss the pros and cons of shifting the date. DAS Barks-Ruggles asked what the Afghan timetable was for resolving this controversy. Barakzai did not speculate on a time frame for moving forward on resolving the dispute but again characterized it as a "hot political issue." DAS Barks-Ruggles reiterated that the US strongly supports the Afghan electoral process,

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but that the Afghan decision-makers need to resolve the timing issue as their credibility rests on reaching a political consensus.

¶ 19. (U) DAS Barks-Ruggles asked Barakzai what message she should communicate to Washington on behalf of the IEC. Barakzai expressed gratitude for US support of the election and asked for increased flexibility in how that support is provided in light of the fact that financial needs during the election process cannot always be predicted far ahead of time.

Meeting with NDI, IRI, and IFES

¶ 10. (U) DAS Barks-Ruggles also met with representatives from NDI, IRI, and IFES and discussed their role in supporting the Afghan elections and the challenges faced so far. NDI Country Director Susan Carnduff said that NDI's principal activities are leadership training for political parties including assessing the ability of women to participate in the political process. Carnduff also described NDI's work with election observers through technical support to the Free and Fair Election Foundation of Afghanistan (FEFA). IRI representative Shuvaloy Majumdar discussed IRI's work supporting political independence. IRI works with a network of district shuras, a youth network, and a women's network to support political independence and to provide voter education. IFES staff members Mary Cummins and Charles Lasham discussed capacity building at the IEC and work strengthening IEC security. IRI and IFES also conduct training for journalists covering elections. They reported that 100 journalists had already completed the training.

¶ 11. (C) DAS Barks-Ruggles asked what was the biggest obstacle to the organizations' efforts. The NDI representative mentioned the failure of the Afghan legislature to pass the election law or the political party registration law as evidence that some GoIRA actors less than avidly support the electoral process. IFES staff said that the message from the US recently that Afghanistan is failing made IFES's capacity

building work more difficult. All cited the difficulties they face due to the increasing security problems around the country, and noted that the 3rd and 4th phases of voter registration in the most insecure areas of Afghanistan will be very difficult. They expressed concern about the low level of female registration thus far as well. DAS Barks-Ruggles said the U.S. is committed to working with Afghanistan to ensure security, democracy, and long-term stability. She said the U.S. mission in Afghanistan has strong bipartisan support, and that there is a clear USG recognition that international support is needed on a long-term basis to ensure Afghanistan's continued democratic development.

¶12. (C) COMMENT: Barakzai made the point that the Afghan Constitution is not crystal clear on many issues, but one of the very few clear provisions is Article 61, which states that "(t)he presidential term shall expire on the 1st of Jawza of the fifth year after elections (May 21, 2009). Elections for the new President shall be held within thirty to sixty days prior to the end of the presidential term." It is difficult to predict how this debate will progress. Even if an agreement is reached in the near future, it is possible that the issue could continuously re-emerge, distracting the busy IEC from the work needed to ensure free, fair, transparent, secure, and inclusive elections.

¶13. (U) DAS Barks-Ruggles cleared this message.

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